

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY JACKSON SEELEY,

Plaintiff,

No. 2:04-cv-01800 DFL CMK (PC)

vs.

THERESA A. SCHWARTZ, et al.,

Defendants.


ORDER

On June 14, 2005, plaintiff filed a “motion for leave for extension of time.” That document was not served on defendants. Plaintiff is advised that every document submitted to the court for consideration must be served on defendants. Fed. R. Civ. P. 5. Documents not to be served electronically are usually served by placing a copy in the U.S. mail. If an attorney has filed a document with the court on behalf of any defendants, then documents submitted by plaintiff must be served on that attorney and not on the defendants. Every document submitted conventionally to the court (e.g., by a prisoner proceeding pro se) must include a certificate stating the date an accurate copy of the document was mailed to defendants or their attorney and the address to which it was mailed. See Local Rule 5-135(b) and (c).

Accordingly, IT IS HEREBY ORDERED that plaintiff’s June 14, 2005 “motion for leave for extension of time” is denied without prejudice. Plaintiff is cautioned that failure to

1 properly serve any documents subsequently filed in this action, and failure to include a proper
2 certificate of service with such filing, may result in a recommendation that this action be
3 dismissed.

4 DATED: June 22, 2005.

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7 **CRAIG M. KELLISON**
8 UNITED STATES MAGISTRATE JUDGE

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